

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

BETTYE JEAN LEWIS,)
Plaintiff,)
v.) CIVIL ACTION NO.: CV507-104
MICHAEL J. ASTRUE, Commissioner)
of Social Security,)
Defendant.)

ORDER

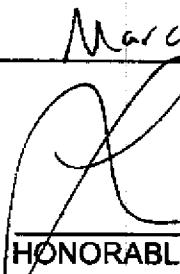
Presently before the Court are Plaintiff's Objections to the Magistrate Judge's Report, wherein he recommended that the decision of the Commissioner of the Social Security Administration be affirmed. In her Objections, Plaintiff contends that the Magistrate Judge erred by finding that the Commissioner articulated good cause for discounting the opinion of her treating physician and by relying on the opinion of a consultative examiner. (Doc. No. 26, pp. 1-4).

Plaintiff's Objections largely consist of reassertions of the contentions found in her original brief. These assertions were considered by the Magistrate Judge in reaching his recommendation that the decision of the Commissioner be affirmed. Additionally, Plaintiff appears to mischaracterize the role of the Court in Social Security cases. The role of the Court is to ensure that the ALJ's determination, and thus, that of the Commissioner, is supported by substantial evidence and that the proper legal

standards were applied. This Court is not to reweigh or otherwise evaluate the evidence presented at the administrative level. See Dyer v. Barnhart, 395 F.3d 1206, 1210 (11th Cir. 2005) (noting that a reviewing court does not "decide facts anew, reweigh the evidence or substitute" its judgment for that of the Commissioner and that, even if the evidence preponderates against the Commissioner's factual findings, the court must affirm a decision supported by substantial evidence).

The Magistrate Judge's Report and Recommendation is adopted as the opinion of the Court. The decision of the Commissioner is **AFFIRMED**. Plaintiff's Complaint is **DISMISSED**. The Clerk of Court is authorized and directed to enter the appropriate judgment of dismissal.

SO ORDERED, this 20 day of March, 2009.



HONORABLE LISA GODBEY WOOD
UNITED STATES DISTRICT JUDGE